IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 559 OF 2002

Suresh Jiwanmal Taparia ...Applicant

Versus

Vijaykumar B. Agrawal & Anr ...Respondents

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Mr. M.H. Ramsinghani, Advocate for Applicant

Mr. K.S. Patil, Adv. for Respondent No.1.

Mr. Rajesh More, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.
DATED: 26TH AUGUST, 2005

P. C.:-

1. Heard Mr. Ramsinghani, the learned advocate for the applicant i.e. original accused, Mr. K.S. Patil, the learned advocate for the respondent No.1 i.e. original complainant and the learned A.P.P. for the State.

2. The applicant came to be convicted under Section 138 of Negotiable Instruments Act in C.C. No. 548/S/2002. He was sentenced to S.I. for nine months and to pay an amount of Rs.5,00,000/- to the complainant as compensation. The applicant had preferred an appeal against the said order before the learned Sessions Court, Greater Bombay. The said appeal came to be partly allowed. The conviction came to be confirmed, however, the sentence was

reduced to S.I. for three months and compensation amount was reduced to Rs.3,00,000/- from Rs.5,00,000/-. Being aggrieved by the said order, this revision has been preferred by the applicant i.e. original accused.

3. Mr. Ramsinghani, learned advocate for the applicant has submitted that the matter has been amicably settled between the parties and the parties have entered into consent terms. He has tendered the consent terms which is taken on record and marked as Exh.'X' for identification. In view of the fact that the parties have settled the dispute among themselves and in view of the consent terms, permission is granted to compound the said case and the applicant i.e. original accused is acquitted in the said case. In view of the consent terms, the complainant i.e. the respondent No.1 is allowed to withdraw the amount of Rs.75,000/- which has been deposited by the applicant i.e. original accused before this Court.

4. Application is disposed of in terms of the above order.

5. Office to issue an authenticated copy of this order to the parties.

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. In view of the order dated 26.8.2005 passed in Criminal Revision Application No. 559 of 2002 this application does not survive and the same is disposed of as infructuous.

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